

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

COALITION FOR EQUITY AND
EXCELLENCE IN MARYLAND
HIGHER EDUCATION, et al.

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Plaintiffs

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vs.

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CIVIL ACTION NO. MJG-06-2773

ROBERT L. EHRLICH, JR., et al.

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Defendants

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MEMORANDUM AND ORDER

The Court has before it Defendants' Motion in Opposition to Class Certification [Document 36] and the materials submitted relating thereto. The Court finds that a hearing is unnecessary.

Plaintiffs filed an Amended Complaint that seeks to have the Plaintiffs (or at least the individual Plaintiffs) act as representatives of a class consisting of all current and former students of Maryland's historically black colleges and universities. Defendants seek to have the Court now determine whether the instant case will proceed as a class action. Plaintiffs contend that the motion is both unwarranted and premature. The Court agrees with Plaintiffs' latter position but also agrees with Defendants to the extent that they now seek a determination as to the class action status of the case.

Accordingly:

1. Defendants' Motion in Opposition to Class Certification [Document 36] is DENIED WITHOUT PREJUDICE.
2. The following schedule shall govern any motion seeking certification of a plaintiff class.
 - a. Plaintiffs shall file any motion seeking certification of a plaintiff class by May 2.¹
 - b. The parties may commence class certification discovery immediately and shall complete any discovery regarding class certification by June 2.
 - c. Defendants shall respond to Plaintiffs' motion by July 7.
 - d. Plaintiffs may file any reply by July 21.
3. Any party wishing to have the case proceed prior to resolution of any class certification motion may arrange a case planning conference herein.

SO ORDERED, on Tuesday, April 1, 2008.

/ s /
Marvin J. Garbis
United States District Judge

¹ All date references herein are to the year 2008 unless otherwise indicated.